

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:14-CR-372 JAR
	)	
DOMINIC PAVIA,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

**GOVERNMENT’S RESPONSE TO DEFENDANT’S OBJECTIONS TO THE  
PRESENTENCE REPORT**

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Dianna R. Collins, Assistant United States Attorney for said District, and responds to the Defendant’s Objections to the Presentence Report [DCD 48] in the order in which they were asserted as follows:

1. This assertion is fact based and best determined by the probation officer.
2. Mr. Pavia and counsel have access to the discovery in this matter. The discovery provides the correct number of images and video files, along with all file names. Considering this information is readily attainable to the defendant, this objection (to the extent there is an actual objection) should be denied.
3. The Government will provide victim information.
4. The Government will provide restitution information.
5. The Government agrees with the defendant in that the 2011 Sentencing

Guidelines should be applied.

6. The Government supports the addition of two points for knowingly engaging in distribution in Paragraph 38 of the Presentence Report. Mr. Pavia's conduct meets the definition of "distribution" as defined in Section 2G2.1 of the 2011 United States Sentencing Commission's Commentary. The Government will provide testimony at the Sentencing Hearing to support this Specific Offense Characteristic.

7. With the addition of the two points for knowingly engaging in distribution, the Total Offense Level is 30.

8. This assertion is fact based and best determined by the probation officer.

9. The Government agrees with the defendant in that the 2011 Sentencing Guidelines should be applied.

Respectfully submitted:

SAYLER A. FLEMING  
United States Attorney

*s/Dianna R. Collins*  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 12, 2024, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system.

s/ Dianna R. Collins

DIANNA R. COLLINS, #59641 MO

Assistant United States Attorney